

Lowell W. Paxson / Chairman & CEO

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November 10, 2004

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Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th St. SW
Washington, D.C. 20554

Federal Communications Commission
Office of Secretary

Re: The Immediate Need For Full Digital Multicast Must-Carry
CS Docket No. 98-120

Dear Ms. Dortch:

I am writing today to express Paxson Communications Corporation's ("PCC") qualified support for the October 29, 2004 letter from NAB, MSTV, and a host of major television station group owners proposing refinements to Media Bureau Chief Ken Ferree's DTV transition plan.¹ The October 29th Letter makes many useful suggestions for the Commission to consider as it charts the immediate and long-term future of the DTV transition, and PCC urges the Commission to adopt most of these prescriptions. But simply following the October 29th Letter's guidance will not be enough to ensure completion of the DTV transition by a date certain because the Letter omits a call for immediate full digital multicast must-carry, which is the most important piece of the DTV puzzle.

As you well know, DTV multicasting has the potential to revolutionize television by dramatically increasing the number of channels available free over-the-air. Widespread multicasting would increase localism, diversity, and decency in broadcast programming, while at the same time providing viewers with a free multichannel alternative to cable and DBS. Multicasting also will expedite the DTV transition by providing new revenue streams that will make DTV broadcasting a viable business proposition for non-network, independent, religious, foreign-language, and emerging network broadcasters. None of these television service improvements will happen without full digital multicast must-carry because the over-the-air audience is simply too small to support them. **If the Commission wants the DTV transition completed by that date certain, it is going to need full digital multicasting must carry to get a date certain. To get multicasting must carry, it must order it now.**

¹ See Letter from Edward O. Fritts, *et al.*, to Marlene H. Dortch, filed October 29, 2004 (the "October 29 Letter")

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The Commission should note that the October 29th Letter was not authored or signed by representatives of independent, religious, foreign-language, or emerging-network broadcasters. These groups, PCC included, need immediate full digital multicast must-carry more than high-revenue stations like the Big-4 network owned and operated stations. For the highest-profit stations, full digital multicast must-carry will be a new way to better serve their communities of license. **For the rest of us, however, multicasting is an immediate business imperative, completely necessary to maintaining the health of our businesses during the DTV transition and afterward.** To be blunt, without full digital multicast must-carry, a great number of the nation's most competitively vulnerable television stations will be forced to limp into the DTV future with severe competitive handicaps – if they make it at all.

We should not have to beg for full digital multicast must-carry. It is required by the plain language of the 1992 Cable Act and it is the only regulatory tool left to the Commission with the potential to jumpstart broadcasters' full transition to DTV. Moreover, PCC has demonstrated conclusively that cable bandwidth provides no obstacle to full digital multicast must-carry and ordering DTV carriage would finally allow cable operators – who thus far have been the no-shows of the DTV transition – to make a useful contribution.

There is no justification for further delay. **The Commission should order full digital multicast must-carry immediately.**

Sincerely,

Samuel W. Taylor

Lowell W. Paxson
Chairman and CEO
PAXSON COMMUNICATIONS CORPORATION

cc: The Honorable Michael K. Powell
The Honorable Kathleen Q. Abernathy
The Honorable Michael J. Copps
The Honorable Kevin J. Martin
The Honorable Jonathan S. Adelstein